

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SANDRA BUTLER et al.,

Plaintiffs,

STIPULATION
AND ORDER

-against-

15 CV 3783 (VEC)

CITY OF NEW YORK, THE NEW YORK CITY
DEPARTMENT OF HOMELESS SERVICES and
STEVEN BANKS, as Commissioner of the New York City
Department of Social Services,

Defendants.

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WHEREAS on July 8, 2021, Plaintiffs filed a motion for a temporary restraining order (“TRO”), for a preliminary injunction, and to enforce the Stipulation of Settlement in this matter (Dkt. 74);

WHEREAS on July 13, 2021, the parties appeared for a hearing on Plaintiffs’ motion;

WHEREAS on July 13, 2021, Judge Woods, acting in his capacity as the Part I Judge, entered a TRO (the “TRO Order”), which expires on Tuesday, July 27, 2021 (Dkt. 94);

WHEREAS on July 19, 2021 the Court issued a briefing schedule for Plaintiffs’ motion for a preliminary injunction (Dkt. 95); and

WHEREAS the parties have been engaged in discussions regarding and are working together to carry out the terms of the TRO Order;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between the Parties, through the undersigned, as follows:

1. The TRO Order is converted into a preliminary injunction, which will remain in effect until at least August 20, 2021.

2. If the transfer of Class Members from de-densification hotels to congregate shelter or another hotel is not completed by August 20, 2021, the parties may agree to extend the injunction until a date when the transfers are expected to be complete; if the parties are unable to agree upon a date certain, Plaintiffs may apply to this Court for an extension of the injunction.
3. The parties recognize that the Court maintains jurisdiction in this matter should further judicial intervention be required.

SO STIPULATED:

Dated: July 21, 2021
New York, New York

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By no later than **Friday, August 27, 2021**, the parties must file a joint status update to the Court. The letter must address whether the transfers from the De-densification Hotels have been completed, whether Plaintiffs are seeking any additional preliminary relief, and each party's respective position as to whether the Court should deny Plaintiffs' Motion to Enforce the Stipulation of Settlement as moot.

The preliminary injunction hearing, currently scheduled for Monday, July 26, 2021 at 11:00 A.M., and the corresponding briefing schedule, *see* Order, Dkt. 96, are hereby canceled.

SO ORDERED.

Date: July 21, 2021

New York, NY



VALERIE CAPRONI
United States District Judge